

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MR. MELVIN HARRIS,	)
Plaintiff	)
	)
vs.	) Civil Action No. 06-1683
	) Judge Arthur J. Schwab/
MR.R.F. YOUNG, Correctional Officer,	) Magistrate Judge Amy Reynolds Hay
in his Official Capacity, et al.,	)
Defendant	)

**ORDER**

AND NOW, this 24<sup>th</sup> day of September, 2007, after the Plaintiff, Mr. Melvin Harris, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and objections having been filed by Petitioner which are without merit, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the above captioned case is dismissed for failure to prosecute.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

---

s/Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Melvin Harris  
5918 Trinity Street  
Philadelphia, PA 19142

Robert A. Willig  
Senior Deputy Attorney General  
Office of Attorney General  
6th Floor, Manor Complex  
564 Forbes Avenue  
Pittsburgh, PA 15219